

UNITED STATES DISTRICT COURT

for the

Western District of Washington

United States of America)

v.)

Felix Giron Mustilier)

Case No: CR92-1356RBJ

USM 22561-086

Date of Previous Judgment: February 18, 1993

Sheryl Gordon McCloud

(Use Date of Last Amended Judgment if Applicable)

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 324 months **is reduced to** 240 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 38

Amended Offense Level: 36

Criminal History Category: IV

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Previous Guideline Range: 324 to 405 months

Amended Guideline Range: 262 to 327 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain): Departure based on defendant's severe health problems.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated February 18, 1993 shall remain in effect.

IT IS SO ORDERED.

Order Date: 8/6/08


Judge's signature

Effective Date: _____
(if different from order date)

Hon. Robert J. Bryan
United States District Judge